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FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1604 OF 2005.

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Mr.Rajendra G. Gawai h/f Mrs.Smita R. Kadu-Gawai for the appellant.

Mrs.P.H. Kantharia, A.P.P., for the respondent- State.

CORAM: S.S. PARKAR &
ANOOP V. MOHTA, JJ.

DATED: 1ST SEPTEMBER, 2005.

P.C.:

. Heard.

2. This Petition has been filed challenging the order of the respondent rejecting the application of the convict for his release on furlough on the ground that there is likelihood of danger to the life of the complainant and the witnesses.

3. The petitioner is stated to be in custody since the year 1999. The petitioner is further stated to be on bail during trial but no untoward incident had taken place. Further

it is stated that the complainant and the witnesses are from Raigad District, the offence having taken place in the jurisdiction of Taloja Police Station, whereas during the period of furlough the petitioner would be staying in Thane District. In the circumstances, the Petition can be allowed and the petitioner can be directed to be released on furlough on condition that he shall not enter Raigad District during the period of furlough and he will report to the concerned Police Station where he would be residing and also furnish his address to the said Police Station.

4. In the circumstances, this Petition is allowed and the respondents are directed to release the petitioner on furlough, among others, on the above conditions. Rule is made absolute accordingly.

[S.S. PARKAR, J.]

[ANOOP V. MOHTA, J.]